

REMARKS

Claims 33 and 36-62 are pending in the above-identified application. The Examiner has rejected claims 33 and 36-62. By this Amendment, Applicants have amended claims 33, 36 and 58-59, and have cancelled claim 38. No new matter has been added.

Claim 38 stands rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicants respectfully traverse the Examiner's rejection, but, in the interest of furthering prosecution, and without acquiescing to the official position, Applicants have cancelled claim 38 without prejudice. Applicants reserve the right to file any divisional application(s) directed to any subject matter in cancelled claim 38.

Claims 33, 36 and 39-62 stand rejected under 35 U.S.C. §112, first paragraph as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicants respectfully traverse the Examiner's rejection.

The disorders discussed by the Examiner – stress related somatic disorders, neuropathological disorders, fibrosing and collagen diseases, hypersensitivity disorders, and disorders related to immune enhancement or suppression – and referred to in the specification and in the above-mentioned claims of the present application are well defined and well known to those of ordinary skill in the art. Evidencing this state of affairs is U.S. Patent Serial No. 5,232,929 (enclosed) that specifically names, in claims 56, 57 and 58 of the patent, all of the above-mentioned disorders. (The '929 Patent issued August 3, 1993 and claims priority to PCT Patent Application PCT/US90/00116, filed January 4, 1990). That such allegedly non-descriptive nomenclature is claimed in other issued U.S. patents convincingly rebuts the official assertion.

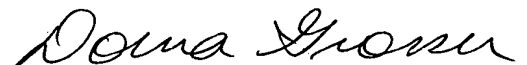
In addition, at pages 13-15 of the specification, specific exemplary types of the above-mentioned disorders are provided. For example, at page 15, lines 34 to 36, Alzheimer's disease, AIDS related dementia, diabetic neuropathy and multiple

sclerosis are provided as specific exemplary types of neuropathological disorders. Similarly, at page 15, lines 29 to 30, scleroderma and eosinophilic fascioliasis are provided as specific exemplary types of fibrosing and collagen diseases. At page 15, lines 27 to 28, poison ivy is provided as a specific exemplary type of hypersensitivity disorder. At page 15, lines 36 to 37, systemic lupus erythematosus is provided as a specific exemplary type of disorder related to immune enhancement or suppression.

Claims 33, 36 and 38-62 stand rejected under 35 U.S.C. §112, first paragraph as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicants have amended claims 33, 36 and 58-59 to delete the term "preventing" that is removed without prejudice or disclaimer insofar as it is considered to be subsumed within the term "treating" in the aforementioned claims.

In view of the above, Applicants respectfully request that claims 33, 36 and 39-62 be examined in their present form and allowed to issue, and that, accordingly, the present application be allowed to issue.

Respectfully submitted,



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